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6 *DeMott, Michael Clark, Pamela Mader, and*
7 *Jacqueline Dedo*

8
9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 ED LOMONT and LUIS ANGULO,
derivatively on behalf of nominal defendant
12 Workhorse Group, Inc.,

13 Plaintiffs,

14 vs.

15 DUANE HUGHES, STEVE SCHRADER,
ROBERT WILLISON, STEPHEN FLEMING,
16 ANTHONY FUREY, RAYMOND CHESS,
GERALD BUDDE, H. BENJAMIN
17 SAMUELS, HARRY DEMOTT, MICHAEL
CLARK, PAMELA MADER, and
18 JACQUELINE DEDO

19 Defendants.

20 WORKHORSE GROUP, INC.,

21 Nominal Defendant.
22
23

Case No: 2:22-cv-00980-CDS-VCF

**STIPULATION AND ORDER TO STAY
THE ACTION**

24 Pursuant to Local Rules IA 6-1 and 7-1, Defendants Duane Hughes, Steve Schrader,
25 Robert Willison, Stephen Fleming, Anthony Furey, Raymond Chess, Gerald Budde, H.
26 Benjamin Samuels, Harry DeMott, Michael Clark, Pamela Mader, Jacqueline Dedo, and
27 Nominal Defendant Workhorse Group, Inc. (collectively, "Defendants"), and Plaintiffs Ed
28 Lomont and Luis Angulo (collectively, "Plaintiffs"), hereby stipulate, agree and respectfully

1 request that the Court stay this action (the “Action”) pending resolution of the securities fraud
2 class action lawsuit *Farrar v. Workhorse Group, Inc., et al.*, No. CV 21-02072, currently
3 pending in the United States District Court for the Central District of California (Carney, J.) (the
4 “Securities Action”). The allegations in the instant Action overlap substantially with those in the
5 Securities Action, and the parties to this Action agree that staying this Action while the
6 Securities Action is litigated will promote efficiency and avoid unnecessary, and potentially
7 duplicative proceedings. The Court presiding over the Securities Action recently has stayed two
8 other shareholder derivative actions similar to this Action pending resolution of the Securities
9 Action. *See In re Workhorse Group Inc. Deriv. Litig.*, 21-cv-4202 (C.D. Cal. Oct. 3, 2022) (ECF
10 No. 82); *Cohen v. Hughes, et al.*, 21-cv-8734 (C.D. Cal. July 22, 2022) (ECF No. 92). And
11 another court in the Eighth Judicial District Court has stayed a similar derivative action. *See In*
12 *Re Workhorse Group Inc. Stockholder Derivative Litigation*, Case Number: A-21-833050-B
13 (Order entered on Aug. 22, 2022).

14 The request is not for purposes of delay. This is the first request by the parties. The
15 parties also request that the court set a status check for January 15, 2023 for a status of this case
16 and the other pending actions.

17 *Signatures on next page*

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Ed Lomont v. Duane Hughes et al.
2:22-cv-00980-CDS-VCF
Stipulation and Order to Stay the Action

Dated this 17th day of October 2022

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Dated this 17th day of October 2022

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Dated this 17th day of October 2022

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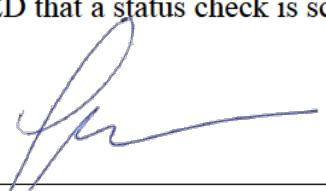
Dated this 17th day of October 2022

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IT IS SO ORDERED. IT IS FURTHER ORDERED that a status check is scheduled
for January 17, 2023, at 10:30 a.m., in LV courtroom 6B.


UNITED STATES DISTRICT JUDGE
DATED: October 17, 2022